Scott. II-27—45,000—9-11-3

Law (General) **(1935) Department.**

MS SERIES.

G.O. No. 1355

DATED 17-4-1935

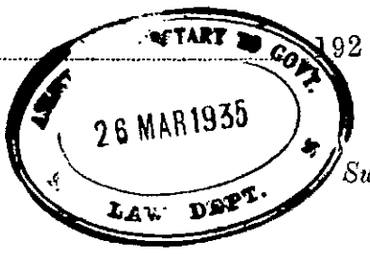
[Despatch Abstract.]

Official Receiver, South Kanara - Establishment, Retention of the additional Bench - Sanctioned

C.F. 30—10,000—7-8-26.

DEPARTMENT.

Received ..... 192 *Registered* L.C. 1969/B 192
26.3.35.



Subject

Enclosures.
No.
Spare copies

R.O.C. No. 532/35 D.3.

Station Madras. *Dated the* 23rd March 1935.

From (Name) G.S.White Esquire,(Solicitor),

(Designation) Registrar,High Court,Madras.

To The Secretary to the Government of Madras,

Law (General) Department.
(with enclosures).

Sir,

Establishment- Official Receiver's Office, South Kanara- temporary clerk-retention of- G.O.No.Ms.1439 Law(General), dated 9-5-1934.

(A)

In the circumstances set forth by the District Judge of South Kanara in the enclosed copies of his letter No. 532 dated 6-2-1935 and its enclosures, the Honourable the Judges recommend his request for the retention of the temporary clerk on Rs.30/- per mensem in the Official Receiver's office, South Kanara, for a period of one year from the date of the commencement of the summer recess for this year. I am therefore to request that the Government may be pleased to issue orders accordingly.

b/p 3-5 supra

∴ 6-11 supra

2. Necessary provision of funds in the budget estimate of the next year for the retention of the post of clerk.

I have the honour to be,

Sir,

Your most obedient servant,

Registrar.

Mdd.

Copy of letter No.532/D dated 6th February 1935 from the District Judge, South Kanara to The Registrar, High Court of Judicature, Madras.

In forwarding herewith a copy of letter Dis.No.10/35 dated 10th January 1935 from the Official Receiver, South Kanara, in the matter of the extension of the term of the additional clerk to of his office, I have the honour to state that the term of the additional clerk sanctioned to his office by Government in G.O.Ms.No.1439 dated 9-5-1934 expires from the date of commencement of the mid-summer recess of 1935 and to request that for the reasons set forth herebelow, the High Court may be pleased to recommend the extension of the period of the additional clerk by one year.

1. A glance at the enclosed statement would clearly show how the clerical work in the office of the Official Receiver has almost doubled itself from what it was in 1930 when the Government was pleased to sanction an additional clerk on the report submitted by one of my predecessors Mr.W.O.Newsam. The present condition of the file and the work in the Official Receiver's office as compared with that at the time when Mr.Newsam made the recommendation, certainly justifies the retention of the clerk for another year.

2. The period of six months for which the clerk was sanctioned first and then subsequently extended by another six months at the request of Mr.K.S.Ramaswami Sastri was too short for any substantial progress to be made in clearing off the arrears as the volume and nature of current work itself occupied the whole time of both the clerks as explained in detail by Mr.N.Chandrasekhara Aiyar in his letter Dis.No.3736 dated 30th June 1931. But unfortunately no additional clerk was sanctioned from June 1931 till June 1934 during which time a long and exhaustive correspondence appears to have passed between the District Judge, the High Court and the Government and consequently the Official Receiver had to run his office with only one clerk ...

submit that the figures have already been furnished as to the Government's share of revenue earned during each of the years 1930 to 1932. The figures for the years 1933 and 1934 are noted here below which speak for themselves.

Official Receiver's Commission for 1933-1934 is Rs.3975-4-6.	Rebate paid to Government in 1933-1934 is Rs.990-1-10.
Do. from April 1934 to December 1934 for 9 months. 5092-8-9	Do for 9 months from April to December '34 -Rs.2005-14-0.

8. In the circumstances stated above and for the reasons urged by the Official Receiver in his letter, I would respectfully request that the High Court may be pleased to recommend the extension of the period of the temporary clerk by at least one year from the date of commencement of the mid-summer recess for 1935, so that both the clerks may be directed to work throughout the ensuing recess and set right all the irregularities and omissions etc, pointed out by the auditor and that the Official Receiver may be able to keep abreast of the work.

6

Copy of letter Dis.No.10/35 dated 10-1-1935 from the Official Receiver to the District Judge, South Kanara.

I beg to bring to your kind notice, that the term of the temporary additional clerk sanctioned as per G.O.No.Ms.1439 dated 9-5-1934 will cease when the District Court closes for the summer recess this year. The continual increase of the work in the office has made the retention of the temporary clerk as a permanent hand, absolutely necessary. (A)

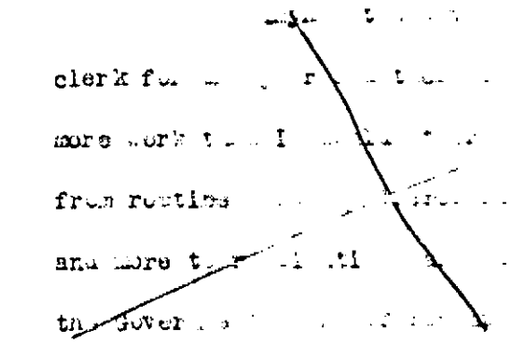
A statement of the recurring work which has to be turned out in my office is appended hereto(statement A). f/p 8-9 impr

The question of appointment of additional clerks has been constantly brought to the notice of the District Court from time to time and the previous records in this connection may be kindly perused and they will show the necessity for the extra hands.

After I took charge in 1932 I found the work of this office very heavy and that the single clerk attached to the office was quite unable to cope with the work and it had therefore to be brought to the notice of the District Court. I was as a consequence permitted to entertain a clerk on piece work basis and an account of the work turned out by him was submitted from time to time to the District Court in connection with the sanction of the remuneration earned by him from time to time. Those returns if perused would also be found to prove the necessity for the employment of a permanent additional clerk. Further the piece work clerk cannot be compelled to do all kinds of office routine as he has to be paid from a few estates only and he earns nothing for doing any office work.

A comparison of the figures for the last three years relating to the number of cases received, the amount of correspondence carried out and the realisations and disbursements made shown in statement B appended hereto will disclose the increase in work in this office. With

this increase ... quite u... with the rule ... important ... though he ... consideration ... in this office ... in all directions ... one extra ... clerk for ... more work ... from routine ... and more to ... in the Service ...



clerk for ... more work ... from routine ... and more to ... the Service ...

1. ... total ...
2. Di... ...
3. Rebate ...
4. Ch... cle...

1. Re... th...
2. Di... ...
3. Rebate ...
4. Ch... cle...

... for ...

... given ...

... needed ...

required for maintenance of registers and records and to attend to all the spade work, connected with realisation and disbursement and at least a single additional clerk is quite indispensable. The increased rebate paid to Government during the last 3 years may in itself justify the appointment of a permanent additional clerk.

In conclusion I request that necessary steps may be kindly taken for the continuance of the temporary additional clerk already sanctioned and if possible for due provision being made for a permanent additional clerk to be attached to this office.

Statement A.

showing the recurring work which has to be turned out in the office of the Official Receiver, South Kanara.

1. Maintenance of the following registers as prescribed by the rules:

(1) Register of Insolvency petitions.
(2) Dividend Register.
(3) Register of assets.
(4) Document register.
(5) Register of leases.
(6) " Initial charges met from contingencies.
(7) " commission bills.
(8) " dividend bills.
(9) " C.M.Ps received.
(10) " C.M.Ps disposed of.
(11) " Impounded instruments.
(12) Detailed register of documents and court-fees.
(13) Diary register.
(14) Hearing book.
(15) Register of sale deeds.
(16) Cash book.
(17) Ledger.
(18) Contingent register.
(19) Salary acquittance register.
(20) Register of service postage stamps.
(21) Cheque books.
(22) Register of moveables seized.
(23) " papers received.
(24) " papers despatched.
(25) Attendance register.
(26) Counterfoil receipt books.
(27) Chalan.
(28) Stock register.
(29) Register of printed forms etc.
(30) " stationery etc.
(31) Daily register of court-fees.
(32) Commission Ledger.

II. I [illegible]

Section [illegible]

III. Prepari[illegible]

IV. Ana[illegible]

retai[illegible]

V. Calcul[illegible]

VI. Indu[illegible]

VII. Subm[illegible]

VIII. Prep[illegible]

IX. Attenu[illegible]

X. Attenu[illegible]

Offici[illegible]

XI. All Mi[illegible]

of Mast[illegible]

[illegible]

Co[illegible]

[illegible]

[illegible]

Serial No.

1. I[illegible]

[illegible]

2. [illegible]

[illegible]

3. [illegible]

4. Re[illegible]

Serial No.	Particulars.	1932.	1933.	1934.
5.	Disbursements made.	Rs. 102041-10-10.	95470-7-9	141105-13-5
6.	Claims admitted.	106959-12- 3.	120200-12-5.	356639-11-10.
7.	Claims satisfied.	131025- 6- 9.	79314- 6-1.	120612- 6- 6.
8.	Cases closed.	84.	22.	107.
9.	Papers dispatched.	800.	1026.	1176.
10.	Cases pending at end of the year.	281	361	365.
11.	Rebate paid to Government.	Rs. 3819-12-11.	790-1-10.	2005-14-0 for 9 months from April to December 1934.
12.	Court-fee stamps received.	217-2-0.	279-2-0.	246- 2-0.

* Note:- There was a change of official receivers during this year.

(true copy,

District Court, S.Kanara.
Mangalore, 8th February 1935.

(sd/-) Mir. Amir-ud-din,
District Judge.

Revised statement showing the state of file in the Official Receiver's office at the end of 1930 and 1934.

	1930.	1934.
Number of cases pending disposal at the beginning of the year.	237	361.
Number of cases received during the year.	83	111. ✓
Number of cases closed. "	101	107.
Number of cases pending at the end of the year.	219.	365. ✓
Assets realised.	Rs.9491-14-0.	14563-11-9. ✓
Government share of rebate.	900-14-3. (from the official year 1930-1931).	2005-14-0. (From April to December 1934 for 9 months).
Papers received.	1390.	3385.
Papers despatched.	754	1176
Registers maintained.	25.	32.

District Court, South Kanara,
Mangalore, 1st March 1935.

(Sd/-)
District Judge.

Law (Genl) Dept.

C. No. 1969 B. From the Regr., High Court Roc. No. 533/35

D. 3. 5. 23. 3. 35

Official Receiver, South Kanara -

addl temporary clerk - further retention

A.S.

(A) In G.O. No. 1439 L.D. 9-5-34, the Govt. Sanctioned the employment of an addl temporary clerk on Rs 30/- in the office of the Official Receiver, South Kanara for a period from the date of the re-opening of the Dist. Court, after the summer recess for 1934 till the commencement of the summer recess for 1935.

vide note from the 7. C. at p. 4 ante (A) p 51 ibid

p 1 4

The Hon. the Judges now recommend that the addl temporary clerk may be retained for a further period of one year from the date of the commencement of the Summer recess for 1935

2/ The necessity for the retention of the addl clerk is fully explained in the copy of the letters of the Dt. Judge South Kanara and the Official Receiver, South Kanara at pp 3-8 of It is stated that OR owing to the sanction of the temporary clerk to OR has been able to turn out more work than he should otherwise have

para 3: p 4 ante

have been able to do. The Dt Judge also says that though the number of insolvency petitions received, 113 · 111, may not be regarded sufficiently large, still the number of cases pending for administration now, ie; 365 is undoubtedly very large. He therefore requests that the extention of the period of the temporary clerk, by at least one year from the date of the commencement of the summer recess for 1935, may be sanctioned. It is observed that the clerk will be directed to work throughout the summer recess and set right all the irregularities and omissions pointed out by the auditor.

3. The state of work in the office of the OR during 1930. and 1934 is compared in the statement at p. 11 ct There was an addl. temporary clerk working in the office during the period from between the dates of re-opening of the courts after the summer recess for 1930 up to 17-6-31 The work in the office in 1934 would seem to justify the retention of the clerk sanctioned in Govt. No. 1439 HS dt 9-5-34.

Subs. that the High Court's proposal may be accepted. A draft order is ruled. for approval. It may be sent to Fin for acceptance

DEPUTY SECRETARY TO GOVERNMENT
10 APR 1935
FINANCE DEPT

+ the clerk retained till the commencement of the summer recess for 1936

1265

19 APR 1935

3 14

Finance(ER)

The draft order may be accepted and the case returned to Law(Gl)

8125 — (Budget provision is available - p 2 cf)
11425
Imc
12.4.35

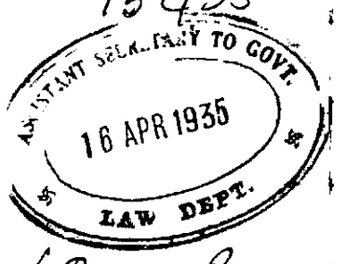
15/4/35

Law 281-

Jmrl
16/4

Fin No 12653 Gl-1

15425



L.C. 2445-B
16.4.35

28/17/4 15

Law (Gnl.) Dept. C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		BB 1/4
When examined..		KVR 17/4
When signed ..		
When despatched.		

SUBJECT:— Official Receiver, South Kanara Establishment — retention of the addl. temporary clerk — ~~and~~ ~~[illegible]~~ — Sanctioned

READ AGAIN Go. No. 14394 S. dated 9-5-34 19....

,, ,, ... (A) ,, ... 19....

READ *ALSO*:— Roc D.3.

No. 1969 B From the Regr., High Court No. 532-35 dated 23-3-1935.

,, ... ,, ... ,, ... ,, ... 19....

,, ... ,, ... ,, ... ,, ... 19....

Order ~~Resolution~~ Ms. No. 1355, dated 17-4- 19 35.

The Govt. sanction the retention of the post of the addl. clerk in the Office of the Official Receiver, S. Kanara sanctioned in Go. No 14394 S. D/ 9-5-34, ~~for a further period of one~~ year from the date of the commencement of the Summer recess for the Ht. Court for 1935, till the commencement of the summer recess for 1936

(A)

Ld. by ... Manager

Dpt's initials

Date 17/4 1935

To

The Hon. the C.J. with Cl.

" Dt. Judge, South Kanara

" A.G. through Fin.

" Fin. Dept.

BB 1-4-35

CRV 2/4

BB 5/4

8/4/35